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TOWNSEND and TOWNSEND and CREW LLP

By: 

**AMENDMENT UNDER 37 CFR 1.116  
EXPEDITED PROCEDURE –  
EXAMINING GROUP 3739**

PATENT  
Attorney Docket No.: 022122-000410US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

**BRIAN N. PIERCE**

Application No.: 10/789,948

Filed: February 26, 2004

For: **DISINFECTION, DESTRUCTION OF  
NEOPLASTIC GROWTH, AND  
STERILIZATION BY DIFFERENTIAL  
ABSORPTION OF  
ELECTROMAGNETIC ENERGY**

Customer No.: 20350

Confirmation No.: 5787

Examiner: Johnson III, Henry M.

Art Unit: 3739

**AMENDMENT NO. 3  
SUBMISSION UNDER 37 CFR  
1.116 EXPEDITED PROCEDURE  
EXAMINING GROUP 3739**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The following is offered in response to the Office Action of September 14, 2007.  
Reconsideration of the application is respectfully requested.

**Amendments to the Claims** begin on page 2 of this paper.

**Remarks/Arguments** begin on page 6 of this paper.